

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) Second and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. 1860; 2620; 2623; 2630; 2942]

<b>DOD: 6/18/2012</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Order Settling First Account Current, etc. filed 7/27/2005 dispensed with further accountings as long as the Conservatorship continued to meet the conditions of Probate Code § 2628, hence the 7-year account period.
		<b>Account period: 4/30/2005 – 6/18/2012</b>	
		Accounting - \$6,605.38	
		Beginning POH - \$1,683.45	
		Ending POH - \$6,605.38	
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
<b>Subsequent Account period: 6/19/2012 – 6/24/2012</b> Accounting - \$ 908.25 Beginning POH - \$ 581.58 Ending POH - \$ 893.25 (all cash)  Conservator - \$3,589.40 (28.61 Deputy hours @ \$96/hr and 11.09 Staff hours @ \$76/hr)  Attorney - \$1,250.00 (less than allowed per Local Rule of \$8,750.00 for \$1,250/year x 7 years)  Bond fee - none requested (SSI recipient)  <b>Petitioner states:</b> After only partial payment of court-ordered fees and commissions, there will be no assets remaining to distribute to the Decedent's heir, <b>RUDY SOTO</b> , husband; liens for fees and commissions for the one previous account exist in the sums of <b>\$300.00</b> for the Public Guardian and <b>\$1,100.00</b> for County Counsel.  <b>Petitioner requests:</b> Due to the insufficiency of the estate, a lien be imposed against the estate for any unpaid balance of authorized fees and commissions.			<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 10/11/12 <b>Updates:</b> <b>Recommendation:</b> <b>File 1 - Soto</b>

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) Third and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Attorney; (3) for Authorization to Sell Personal Property and Retain Proceeds  
[Prob. C. 1860; 2620; 2623; 2630; 2631; 2942]

<b>DOD: 7/6/2012</b>	<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Account period: 4/1/2012 – 7/6/2012</b>	
	Accounting - \$28,184.82	
	Beginning POH - \$19,949.61	
	Ending POH - \$ 6,115.52	
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Subsequent Account period: 7/7/2012 – 7/31/2012</b>	
<input type="checkbox"/> <b>Inventory</b>	Accounting - \$ 9,663.64	
<input type="checkbox"/> <b>PTC</b>	Beginning POH - \$ 6,115.52	
<input type="checkbox"/> <b>Not.Cred.</b>	Ending POH - \$ 9,663.64 (\$6,318.64 is cash)	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Conservator - \$946.80	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	(6.30 Deputy hours @ \$96/hr and 4.50 Staff hours @ \$76/hr)	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>	Attorney - \$525.00	
<input type="checkbox"/> <b>Pers.Serv.</b>	(per itemization for 3.50 hours @ \$150/hr)	
<input type="checkbox"/> <b>Conf. Screen</b>	Bond fee - \$25.00 (o.k.)	
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/S</b>	<b>Petitioner states:</b> After payment of court-ordered fees and commissions, there will be no assets remaining to distribute to the Decedent's heir; liens for fees and commissions for previous accounts exist in the sums of <b>\$3,400.00</b> for the Public Guardian and <b>\$1,800.00</b> for County Counsel.	
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>	<b>Petitioner requests:</b> Authority to sell the deceased Conservatee's personal property (consisting of jewelry valued at <b>\$3,345.00</b> ) and retain the proceeds as partial payment of fees and commissions, and that due to the insufficiency of the estate, a lien be imposed against the estate for any unpaid balance of authorized fees and commissions.	
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 10/11/12
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2 - Goringer</b>

(1) Second and Final Account and Report of Conservator; (2) Petition for  
Allowance of Compensation to Conservator and Attorney [Prob. C. 1860; 2620;  
2623' 2630; 2942]

<b>DOD: 04/15/12</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <b>12/03/11 – 04/15/12</b>	
<b>Cont. from</b>		Accounting - <b>\$8,219.67</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$2,828.31</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$2,388.07</b>	
<input type="checkbox"/>	<b>Inventory</b>	Subsequent Account period: <b>04/16/12 – 07/03/12</b>	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Accounting - <b>\$5,264.92</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/	Beginning POH - <b>\$2,388.07</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Ending POH - <b>\$2,947.92</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	Conservator - <b>\$1,375.60</b> (8.50 staff hours @ \$76/hr. and 7.60 Deputy hours @ \$96/hr.)	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>	Attorney - <b>\$729.19</b> (Per Local Rule)	
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>	Bond Fee - <b>\$25.00</b> (ok)	
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>2620(c)</b> n/a	Petitioner requests that due to the insufficiency of the estate, a lien be imposed against the estate for any unpaid balance of the authorized fees and commissions. Liens for fees and commissions for the first account exist as follows: \$2,500.00 for the Public Guardian and \$1,700.00 for County Counsel.	
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Petitioner prays for an Order:</b>	
		1. Approving, allowing and settling the second and final Account;	
		2. Authorizing the Conservator and Attorney Fees and commissions;	
		3. Authorizing payment of the bond fee; and	
		4. Authorizing petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions.	
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 10/11/12
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 3 - Hofeditz</b>

## (1) First and Final Account and (2) Report of Conservator, and (3) Petition for Final Distribution (Prob. C. 1860(a), 1861(a)(1)(b), 2620)

<b>DOD: 02/28/12</b>		<b>CAROL LEWIS</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <b>04/27/11 – 02/28/12</b>	<b>CONTINUED TO 11/20/12</b> Per request of counsel
		Accounting - <b>\$75,126.41</b>	<b>CONTINUED FROM 08/29/12</b> Minute Order from 08/29/12 states: Counsel requests a continuance to cure the defects. The Court directs counsel to address item #2 in the examiner notes thoroughly. Matter continued to 10/17/12.
		Beginning POH - <b>\$70,000.00</b>	
		Ending POH - <b>\$45,992.01</b>	<b>As of 10/11/12, the following notes have not been addressed and remain:</b>
<b>Cont. from 082912</b>		Account period: <b>02/29/12 – 04/30/12</b>	1. Schedule C of the Accounting states that \$13,950.14 in attorney's fees and \$460.50 in costs have been paid to Quinlan, Kershaw & Fanucchi. It appears that this payment of fees was made without court order in violation of Probate Code § 2647, which states that no attorney's fees may be paid from the estate of the conservatee without prior court order. Need reference to court order authorizing fees that have been paid.
	<b>Aff.Sub.Wit.</b>		2. No itemization of the fees and costs is provided, therefore, the Court is unable to determine whether the fees and costs are just and reasonable and allowable pursuant to Local Rule 7.16, California Rules of Court § 7.751. Need itemization of fees and costs paid to Quinlan, Kershaw & Fanucchi.
✓	<b>Verified</b>		
	<b>Inventory</b>		3. The Petition states that Mark Eaton and Victoria Milo, children of the predeceased spouse of the conservatee have executed a Disclaimer of Interest in favor of Carol Lopez and that said Disclaimers will be on file prior to the hearing on this accounting. As of 10/11/12, no Disclaimers have been filed.
	<b>PTC</b>		
	<b>Not.Cred.</b>		4. Need original billing statements from residential care facility The Harvest pursuant to Probate Code § 2620(c)(5).
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	w/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>2620(c)</b>	x	
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) First and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Her Attorney; (3) and Distribution  
[Prob. C. 1860; 2620; 2623; 2630; 2942]

<b>DOD: 10/3/2011</b>	<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Proposed order states in Paragraph 1 that the property on hand consists in part of <b>\$300.00</b> personal property; the account schedules show <b>\$200.00</b> of personal property was sold by the Conservatee's board and care home. Therefore, proposed order has been altered to reflect the value of the personal property on hand as <b>\$100.00</b> , as is consistent with the account schedules.
<b>Cont. from</b>			
<input type="checkbox"/> <b>Aff.Sub.W</b>			
<input type="checkbox"/> <b>Verified</b>			
<input checked="" type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred</b>			
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>			
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/		
<input type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>			
<input type="checkbox"/> <b>Duties/S</b>			
<input type="checkbox"/> <b>Objectn</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Post</b>			
<input type="checkbox"/> <b>Stat. Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notc</b>			

**Account period: 3/3/2011 – 10/3/2012**

Accounting	-	<b>\$193,250.72</b>
Beginning POH	-	<b>\$184,293.46</b>
Ending POH	-	<b>\$174,643.87</b>

**Subsequent Account period: 10/4/2011 – 7/16/2012**

Accounting	-	<b>\$175,678.84</b>
Beginning POH	-	<b>\$174,643.87</b>
Ending POH	-	<b>\$173,565.29</b> (\$1,265.29 is cash)

Conservator - **\$2,986.48**  
(19.63 Deputy hours @ \$96/hr and 14.50 Staff hours @ \$76/hr)

Attorney - **\$2,500.00**  
(per Local Rule)

Bond fee - **\$56.32**  
(o.k.)

Costs - **\$104.00**  
(certified copies processing fee)

**Petitioner states:**

- No family members initiated any probate proceedings; therefore, this matter has been referred to the **PUBLIC ADMINISTRATOR**, who is seeking appointment as administrator of the Decedent's estate with Full IAEA authority [in Case #12CEPR00883, which is set for hearing on **11/8/2012**];
- After only partial payment of court-ordered fees and commissions, there will be no cash on hand; therefore, Petitioner requests authority to distribute the real and personal property of the estate to the Public Administrator upon his appointment as administrator of the estate of the deceased Conservatee.

**Petitioner requests:** Due to the insufficiency of cash in the estate to pay commissions and fees, a lien be imposed against the estate for any unpaid balance of authorized fees and commissions.

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) First and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and her Attorney; and (3) for Authorization to Sell Personal Property and Retain Proceeds  
 [Prob. C. 1860; 2620; 2623; 2630; 2631; 2942]

<b>DOD: 6/17/2012</b>	<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Account period: 7/21/2011 – 6/17/2012</b>		
	Accounting - <b>\$10,945.52</b>		
	Beginning POH - <b>\$ 0.00</b>		
	Ending POH - <b>\$ 1,690.02</b>		
<b>Cont. from</b>			
<input type="checkbox"/> Aff.Sub.W			
<input checked="" type="checkbox"/> Verified			
<input checked="" type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/S			
<input type="checkbox"/> Objectn			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input type="checkbox"/> Order			
<input type="checkbox"/> Aff. Post			
<input type="checkbox"/> Stat. Rpt			
<input type="checkbox"/> UCC/JEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notc			

**Subsequent Account period: 6/18/2012 – 7/24/2012**

Accounting - **\$ 4,240.35**  
 Beginning POH - **\$ 1,690.02**  
 Ending POH - **\$ 1,740.35**  
 (\$1,690.35 is cash)

Conservator - **\$8,907.44**  
 (78.14 Deputy hours @ \$96/hr and 18.50 Staff hours @ \$76/hr; services include travel hours to Chowchilla Convalescent, including transport of Conservatee to and from Chowchilla for evidentiary hearing on initial conservatorship petition; and PG successful efforts in redirecting Conservatee's pension funds.)

Attorney - **\$2,500.00**  
 (per Local Rule)

Bond fee - **\$25.00**  
 (o.k.; minimum fee for estate never >\$10k)

**Petitioner states:**

- Conservatee's husband **ROY RODRIGUEZ, SR.**, died during the Conservatorship; Conservatee died intestate, survived by **ROY RODRIGUEZ, JR.**, son, **JERRY NELVIN DAVIS, JR.**, son, and **JUANITA RODRIGUEZ**, daughter, none of whose whereabouts are known to Petitioner;
- After only partial payment of court-ordered fees and commissions, there will be no assets remaining to distribute to the Decedent's heirs;
- Public Guardian has appraised the personal property at **\$50.00** [consisting of old TV and two older wheelchairs].

**Petitioner requests:** Authority to sell the deceased Conservatee's personal property and retain the proceeds as partial payment of fees and commissions, and that due to the insufficiency of the estate, a lien be imposed against the estate for any unpaid balance of authorized fees and commissions.

Reviewed by: LEG

Reviewed on:  
10/11/12

Updates:

Recommendation:

File 6 - Rodriguez

Atty Hernandez, Diana (pro per Petitioner/maternal grandmother)

Atty Hernandez, Natalie A. (pro per Petitioner/objector/mother)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Sonny age: 7 yrs		<p align="center"><b>TEMPORARY EXPIRES 10/17/12</b></p> <p><b>DIANA HERNANDEZ</b>, maternal grandmother, is petitioner.</p> <p>Father (of Sonny): <b>JUAN MARTINEZ</b></p> <p>Father (of Toby): <b>TOBY PHACHANSAI</b> – consents and waives notice.</p> <p>Mother: <b>NATALIE HERNANDEZ</b></p> <p>Paternal grandparents (of Sonny): Not listed Paternal grandparents (of Toby): Not listed Maternal grandfather: Sergio Hernandez</p> <p><b>Petitioner alleges:</b> Mother is a single parent, neglecting her boys. She is acting irrational and is currently unstable on a drug binge. Mom refuses to seek help. Petitioner believes she is endangering her children and unable to care for them.</p> <p><b>Objections of mother, Natalie Hernandez, filed on 9/10/12</b> states her father is currently on probation on narcotics charges. He is also abusive and an alcoholic.</p> <p><b>Declaration of mother, Natalie Hernandez, filed on 9/10/12</b> accuses her father of molesting her oldest son, Sonny.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Petition lists the father of Sonny Martinez as Toby Phachansai however Sonny's birth certificate lists his father as Juan Martinez.</li> <li>Petition does not include the names and addresses of the paternal grandparents for both boys.</li> <li>Need Notice of Hearing.</li> <li>Need proof of personal service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice or declaration of due diligence on:               <ol style="list-style-type: none"> <li>Juan Martinez (Sonny's father)</li> <li>Natalie Hernandez (mother)</li> </ol> </li> <li>Need proof of service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice or declaration of due diligence on:               <ol style="list-style-type: none"> <li>Sonny's paternal grandparents</li> <li>Toby's paternal grandparents</li> <li>Sergio Hernandez (maternal grandfather)</li> </ol> </li> </ol>
Toby age: 4 yrs			
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b> <input checked="" type="checkbox"/>		
<input type="checkbox"/>	<b>Aff.Mail</b> <input checked="" type="checkbox"/>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b> <input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 10/12/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 7 – Martinez &amp; Phachansai</b></p>	

Atty Sanoian, Joanne, sole practitioner (for Petitioner Christine Roberts, Guardian of the Estate)

**Petition for Order Establishing the Jennifer Roberts Special Needs Trust; for Deposit of Funds Into a Blocked Account in the Name of the Trust; and for Authorization to Purchase Real Property Residence**

<b>Age: 14 years</b>		<p><b>CHRISTINE ROBERTS</b>, mother and Guardian of the Estate appointed 7/9/2012, is Petitioner.</p> <p><b>Petitioner seeks an order pursuant to Probate Code § 2580(b)(5) to establish a Special Needs Trust (SNT) for the benefit of the minor, to be funded by life insurance proceeds from the estate of her deceased father, MICHAEL W. ROBERTS. Petitioner states:</b></p> <ul style="list-style-type: none"> <li>The Guardianship of the Estate was established for the purpose of receiving the minor's life insurance proceeds from her deceased father, <b>MICHAEL W. ROBERTS</b>, of ~\$35,000.00 from MetLife and ~\$200,000.00 from Prudential;</li> <li>The minor has a diagnosis of mental retardation and is developmentally disabled, she receives Medi-Cal benefits and relies upon them for her basic needs, and because these benefits are "needs based" and the minor cannot have more than \$2,000.00 in "countable assets," a distribution of assets to the Guardianship Estate will result in eliminating her eligibility for vital public benefits, including Medi-Cal and future SSI, unless the minor's assets are directed to a SNT;</li> <li>The minor receives Survivor's Benefits, so she does not receive federal Supplemental Security Income (SSI) at this time, though once the minor reaches age 18, she will stop receiving her monthly Survivor's Benefits and will need to start receiving SSI;</li> </ul> <p align="center">~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Amended Petition for Letters of Administration filed in Case #12CEPR00290, <b>Estate of Michael W. Roberts</b> (DOD 2/24/2012), father of proposed SNT Beneficiary, is set for hearing on <u>10/18/2012</u>.</p> <p><u>Note:</u> Guardianship of the Estate for the proposed SNT Beneficiary was established on 7/9/2012 in Case #12CEPR00499, and is set for status hearing for filing of the <i>Inventory and Appraisal</i> in the Guardianship Estate on <u>11/16/2012</u>.</p> <p><u>Note:</u> Petitioner seeks an order pursuant to Probate Code § 2580(b)(5) [Substituted Judgment], typically utilized for proposed actions in conservatorships, including creating irrevocable trusts for the benefit of a conservatee. The instant <i>Petition</i> has been reviewed more aptly within the context of Probate Code §§ 3600 et seq., in particular §§ 3602(d) and 3604, for the establishment of a special needs trust relating to the <u>Court's judgment in the father's estate</u> that will provide for money to be paid for the benefit of the <u>minor</u>.</p> <p align="center">~Please see additional page~</p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b> w/		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		



- The only way to preserve eligibility for the minor is to direct the assets to a SNT, without which the minor's special needs for supportive services, supplemental medical services, and other palliative care are unlikely to be met; the establishment of the SNT is necessary to provide for the minor's current and future needs while preserving her eligibility for public benefits;
- The minor is also a beneficiary of her deceased father's estate (Case #12CEPR00290), which distribution to the minor is still to be determined [*hearing date on appointment set for 10/18/2012*];
- The proposed SNT meets the criteria under 42 USC § 1396p(d)(4)(A) and the Court has jurisdiction and authority to create a SNT to preserve a disabled minor's eligibility for public benefits on a substituted judgment petition (*Conservatorship of Kane* (2006) 137 CA4th 400); Probate Code § 2580(a)(1) allows a petition for court order authorizing the Guardian to take a proposed action benefiting the conservatee, and Probate Code § 2580(b)(5) allows the court to order creation of a revocable or irrevocable trust; the appellate court in *Kane* held that a SNT for an inheritance of a person with a disability who is conserved may be established under Probate Code § 2580(b)(5); the appellate court noted it would be inconsistent with federal legislation to allow a SNT for litigation beneficiaries under Probate Code § 3600 but not for a disabled beneficiary's inheritance;
- Petitioner requests the Court establish the **JENNIFER ROBERTS SPECIAL NEEDS TRUST**, and order that all assets obtained by the Guardianship Estate, or to be distributed to the Guardianship Estate, be transferred to or vested in the proposed SNT (*copy of proposed SNT attached as Exhibit B*);
- Petitioner proposes that Petitioner **CHRISTINE ROBERTS**, mother, be named initial Trustee of the SNT; (*Consent to Serve as Trustee filed 10/15/2012*);
- Petitioner also seeks an order of the Court authorizing Petitioner to sign the proposed **JENNIFER ROBERTS SPECIAL NEEDS TRUST** as Grantor, on behalf of the minor.

**Proposed SNT complies with all Federal and State law requirements:**

- The proposed SNT Beneficiary meets the eligibility requirements of 42 USC § 1396p(d)(4)(A) in that:
  - (1) she is under age 65 (she is currently 14 years old);
  - (2) she is disabled as defined in 42 USC § 1382c(a)(3), and meets the definition based further on the same provision for eligibility required for SSI and Medi-Cal; and
  - (3) the trust provides that on the minor's death, the state Medicaid agency (Medi-Cal) will receive reimbursement for all medical assistance provided to the minor.
- The proposed SNT complies with CA Rule of Court 7.903(c) as follows:
  - (1) It does not contain a no-contest clause;
  - (2) It prohibits modification or revocation without court approval;
  - (3) It clearly identifies the trustee and any other person with authority to direct the trustee to make disbursements;
  - (4) It prohibits investments by the trustee other than those permitted under Probate Code § 2574;
  - (5) It requires the [trustee and any other person with authority to direct the trustee to make disbursements] to post bond in an amount required under Probate Code § 2320 – 2344, and/or deposit all funds in a blocked account pursuant to Probate Code § 2456; no deposits or withdrawals can be made without court authorization;
  - (6) It requires the trustee to file accounts and reports for court approval in the manner and frequency required by Probate Code § 1060 – 1064 and 2620 – 2628;
  - (7) It requires court approval of changes in trustees and a court order appointing any successor trustee;
  - (8) It requires that compensation of the trustee or attorney for trustee to be in just and reasonable amounts that must be fixed and allowed by the court.

**~Please see additional page~**

**Proposed SNT complies with all Federal and State law requirements, continued:**

- The proposed SNT meets the requirements of **Local Rule 7.19** as follows:
  - (1) Copy of proposed SNT is attached to the *Petition*;
  - (2) SNT complies with CA Rule of Court 7.903;
  - (3) SNT requires court confirmation of sales of trust real property;
  - (4) The order provides the SNT shall be subject to the court's continuing jurisdiction and shall be subject to periodic accounts as required in guardianship and conservatorship matters;
  - (5) SNT prohibits payment of fees to attorneys, trustees or others without prior court approval.

**Trustee and Bond:** Petitioner requests an order that the Trustee deposit all funds into blocked account(s) at Bank of the West in the name of the SNT pursuant to Probate Code § 2456; Petitioner states she can later seek an order authorizing her to post a bond pursuant to the requirements under Probate Code § 2320 – 2335.

**Petitioner also seeks an order authorizing the Petitioner to search for and to subsequently petition this Court for, as Trustee of the SNT, the purchase of a family residence for the benefit of the minor using SNT assets.**

**Petitioner requests an Order:**

1. Establishing the **JENNIFER ROBERTS SPECIAL NEEDS TRUST**;
2. Directing Petitioner as Guardian of the Estate of Jennifer Roberts to deposit all funds from the Prudential and MetLife life insurance proceeds into a blocked account in the name of the **JENNIFER ROBERTS SPECIAL NEEDS TRUST**; and
3. Authorizing Petitioner as Trustee to search for and subsequently petition this Court for the purchase of a real property residence with funds from the SNT for the benefit of the minor.

**NEEDS/PROBLEMS/COMMENTS, continued:**

**Note:** It is the policy of this Court in establishing safe harbor trusts such as this special needs trust to require that the terms comply with the provisions of Probate Code § 3600 et seq. when warranted by the circumstances of the particular case. Based upon the instant *Petition*, the proposed SNT does in fact comply with most of said requirements pursuant to **Probate Code § 3604(b)(1), (b)(2), and (b)(3)** (though the *Petition* does not specifically cite these provisions.) However, the proposed SNT does not but should include the requirement of the payback provision prior to funding the SNT, pursuant to **Probate Code § 3604(d)**, providing that the court order shall include a provision that **all statutory liens** in favor of the State Department of Health Services, the State Department of Mental Health, and the State Department of Developmental Services, and any county or city and county in this state, **shall first be satisfied**. Paragraph 19 of the *Petition* states that notice to the Department of Health Services, the State Department of Mental Health, and the State Department of Developmental Services, along with a copy of the petition, has been provided to these entities, thereby fulfilling the notice requirement. **To fully comply with section 3604(d), the terms of the proposed SNT require revision to include the provision stating that all statutory liens in favor of the aforementioned agencies shall be satisfied prior to placing funds into the SNT.** [Note: A waiver may potentially be obtained from the Dept. of Health for payment of any liens prior to funding the SNT.]

**~Please see additional page~**

NEEDS/PROBLEMS/COMMENTS, continued:

1. **Based upon the note above, and upon this Court's desire to include consistent terms in the special needs trusts established by it, the proposed SNT has been reviewed in conjunction with the necessary statutory provisions, and the following deficiencies are noted in the SNT terms, and suggestions are offered for consideration to be included in the SNT terms, as follows:**
  - Paragraph 5 of the findings on Page 3 of proposed Order: Should include the finding pursuant to Probate Code § 3604(d) regarding statutory liens. In addition, the proposed order establishing SNT does not but should contain the estimated amount of funds to be placed into the blocked account in the name of the SNT. Paragraph 5 of the proposed order should include language regarding the amount, such as:
    - "Petitioner as Guardian of the Estate of Jennifer Roberts is directed to deposit all funds into a blocked account in the name of the JENNIFER ROBERTS SPECIAL NEEDS TRUST, received from the Prudential and MetLife insurance proceeds in the approximate amount of **\$235,000.00**, which amount may increase or decrease depending upon the actual amount which the Beneficiary is entitled to receive, and depending upon any amount owed to and settled upon with any governmental agency for any statutory liens. Prior to payment to the JENNIFER ROBERTS SPECIAL NEEDS TRUST, all statutory liens in favor of the State Department of Health Services, the State Department of Mental Health, the State Department of Developmental Services, and any county or city and county in this state shall first be satisfied."
  - Article One, Section 1: **Probate Code §§ 3602 and 3604** should be added to the cited statutory provisions under which this SNT is established.
  - Article Three, Section 1: Should include specific language distinguishing "distributions" from "disbursements." The following language is suggested to be added to *Section 1, Discretionary **Disbursement and Distribution** Standard*:
    - Disbursements for special needs, as distinct from distributions for special needs, may be made in the Trustee's sole, absolute and good faith discretion without Court approval. Disbursements refers to any one-time expenditure and/or on-going, regular and continuing expenditures from the special needs trust, disbursed in the sole discretion of the Trustee to provide for the special needs of the Beneficiary. Distributions for special needs refers to any purchases of property, real or personal, made upon request to and approval by the Court, to provide for the special needs of the Beneficiary, which must be included on the *Schedule of Property on Hand* shown as special needs trust assets at the time of the special needs trust accounting. The Trustee shall not make any disbursements or distributions that the Trustee in good faith determines is not for the special needs of the Beneficiary, and all distributions shall be made only upon Court approval. *[please refer to interlineated copy of proposed SNT]*.
  - Article Six, Section 1: Should include specific language regarding distribution following Beneficiary's death: "**The trust assets shall be distributed upon confirmation by a court of competent jurisdiction at the time of the final accounting**, as follows...." *[please refer to interlineated copy of proposed SNT]*.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

- Article Seven, Section 4, (G) and (H): Investment Powers. This section adds "Mutual funds, held and traded in the United States" and "Direct obligations of the United States, or of the State of California, maturing later than 5 years from the date of making the investment" as potential investments of the Trustee without authorization of the Court, which are not investments listed in Probate Code § 2574. These investments may need to be removed from terms, as the **Court may require these types of investments to be allowed only upon request to and approval by the Court at the time Trustee seeks to make such investment.**
  - Article Seven, Sections 5 and 6: Authority to Purchase Residence. This section requires revision to comply with the Court's policy on such terms in the SNT. Suggested language is as follows:

"Section 5. Authority to Purchase Residence. Upon Court approval for the purchase, the Trustee may purchase and maintain real estate as an asset of the Trust, to the extent not covered by public benefits, for the benefit of the Beneficiary with title vested in the name of the trust. The Trustee is specifically authorized to purchase and maintain as a trust asset a home for the Beneficiary on terms the Trustee considers advisable, following Court approval and confirmation of purchase. Arrangements shall be made in the Trustee's discretion to protect and ensure the Beneficiary's continued eligibility for public benefits, despite the fact that the Beneficiary is permitted to reside in the trust asset home."

"Section 6. Procedure for the Purchase and Sale of Real Property. Any purchase of any parcel of real property, including any real property that will be used as the Beneficiary's personal residence, may be made only if authorized and confirmed by the Court pursuant to Probate Code § 2571 (applicable to conservatorships and guardianships.) Any sale of any parcel of real property, including any real property that will be used as the Beneficiary's personal residence, may be made only if authorized and confirmed by the court pursuant to Probate Code § 2540(b) (applicable to conservatorships and guardianships.) Such sales must be returned to court to confirmation pursuant to Probate Code § 10300 et seq. Distributions for the purchase of any property, real or personal, shall be accounted for and included on a Schedule of Trust Property on Hand at the time of the trust accounting."
  - Article Eight, Section 4. Accounting to Court. The phrase "when required by court order" should be removed from the first line of this section.
2. Petitioner seeks an order authorizing the Petitioner to search for and to subsequently petition this Court for the purchase of a family residence for the benefit of the minor using SNT assets. Petitioner states the minor has special needs for supportive services, supplemental medical services, and other palliative care, that are unlikely to be met without the establishment of the SNT to provide for the minor's current and future needs. Court may require further justification for the reasonableness of a real property purchase given the minor's special needs in relation to the estimated size of this proposed SNT to be established for the benefit of Jennifer Roberts.
  3. Need revised proposed order establishing the JENNIFER ROBERTS SPECIAL NEEDS TRUST containing suggested changes in terms as agreed by Petitioner, and with the date and signature lines for the Court's approval placed on the last page of *Exhibit A* which contains the SNT terms, either on Page 18 following the signature line for the Trustee, or on Page 19 following the notarization *[please refer to interlineated copy of proposed SNT]*.

**~Please see additional page~**

**Note:** If *Petition* is granted, Court will set status hearing as follows:

- **Friday, December 20, 2013, at 9:00 a.m. in Dept. 303** for status report on receipt of assets into the special needs trust; and/or filing of receipt for blocked account; and/or filing of the First Account of the special needs trust.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.

**Dept. 303, 9:00 a.m. Wednesday, October 17, 2012**

9 Julian Matthew Castaneda-Flores and Arrianna Benita Castaneda  
(GUARD/P)

Case No. 07CEPR00700

Atty Castaneda, Mary J (pro per Petitioner/maternal grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 4 years		<b><u>THERE IS NO TEMPORARY.</u></b> <b><u>No temporary was requested.</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
				<p><b>This Petition is as to <u>JULIAN</u> only.</b> <b>Guardianship of Arrianna was previously granted on 9/10/2007.</b></p> <p>1. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:</p> <p>a. Paternal grandparents.</p>	
Cont. from 091912		Father: <b>SALVADOR FLORES</b> – court dispensed with notice by minute order dated 9/19/12.			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	W/			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
		<p>MARY J. CASTANEDA, maternal grandmother, is petitioner.</p> <p>Mother: <b>ANTOINETTE CASTANEDA</b> – personally served on 9/1/12.</p> <p>Paternal grandparents: unknown Maternal grandfather: Martin Castaneda – served by mail on 9/1/12.</p> <p><b>Petitioner states</b> she has raised the minor since he was just over a year old. She has provided him with a safe, loving environment. The father has been incarcerated and has not ongoing relationship. Mother has a history of drug addiction and has not played an active parenting role.</p> <p><b>Court Investigator Jennifer Young's Report filed on 10/10/12 recommends.</b></p>		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 10/12/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Castaneda</b></p>	

Atty Bisuano, Patrick Lupe (Pro Per -Petitioner-Maternal Uncle)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Tillmen E. Taylor, Jr. Age: 1		<b>TEMPORARY EXPIRES 10/17/12</b>  <b>PATRICK BISUANO</b> , maternal uncle, is petitioner.  Father: <b>UNKNOWN</b>  Mother: <b>SAMANTHA PENA</b> – Declaration of Due Diligence filed on 7/19/12. – Court dispensed with notice per minute order dated 9/19/12.  Paternal grandparents: Unknown  Maternal grandfather: Seferino Pena Maternal grandmother: Deceased  <b>Petitioner states</b> the mother of the children is unfit, she is just out of jail, she is prostituting herself, she is a neglectful mother and does not care about herself for the children.  <b>Court Investigator Joann Morris' report filed 09/10/2012 states.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of personal service, 15 days prior to the hearing, of the Notice of Hearing along with a copy of the Temporary Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: • Father (Unknown)  3. Need proof of personal service, 15 days prior to the hearing, of the Notice of Hearing along with a copy of the Temporary Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: • Paternal Grandparents (Unknown) • Serefino Pena (Maternal Grandfather)	
Samina N. Pena Age: 10 months				
Cont. from 091912				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
✓	CI Report			
<input type="checkbox"/>	9202			
✓	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
✓	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: KT				
Reviewed on: 10/12/12				
Updates:				
Recommendation:				
File 10 – Taylor & Pena				

**Petition to Determine Succession to Real Property (Prob. C. 13151)**

<b>DOD: 02/09/2012</b>		<b>MARK MARTINEZ, REBECCA MARTINEZ and ROSALINA MARTINEZ</b> , children, are petitioners.  40 days since DOD  No other proceedings  I&A - <b>\$50,000.00</b>  Will dated: 08/31/2011  Petitioners request Court determination that decedent's 100% interest in real property located at 1204 West Valencia, Fresno pass to decedent's children Mark Martinez, Rebecca Martinez and Rosalina Martinez in 1/3 shares pursuant to decedent's will.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 9/5/12.</b> Minute order states no appearances. The Court orders Mark Martinez, Rebecca Martinez and Rosalinda Martinez to be personally present on 10/17/12. Copy of the minute order was mailed to the petitioners on 9/11/12.  1. Inventory and Appraisal was not signed by petitioners Rebecca Martinez and Rosalina Martinez.  2. Please clarify the spelling of petitioner Rosalina Martinez. Petition lists her name as Rosalina Martinez and the Order lists petitioner's name as Rosalinda Martinez.
<b>Cont. from 090512</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
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<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
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<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Reviewed by: KT</b>	
<b>Reviewed on: 10/12/12</b>	
<b>Updates:</b>	
<b>Recommendation:</b>	
<b>File 11 - Martinez</b>	



Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Cynthia, Age 8		<b>TEMPORARY EXPIRES 10-17-12</b>  <b>BRENDA CUETO</b> , maternal grandmother, is petitioner.  Father (Cynthia): <b>FERNANDO CASAS</b> Father (Manuel): <b>MANUEL NAVA</b>  Mother: <b>LAURA TAYLOR</b> - <i>consents and waives notice</i>  Paternal Grandfather (Cynthia): Circiaco Casas Paternal Grandmother (Cynthia): Nancy Casas  Maternal Grandfather: Michael Raley  Paternal Grandfather (Manuel): Not listed Paternal Grandmother (Manuel): Not listed  Maternal Grandfather: Michael Raley  <b>Petitioner states</b> both fathers are incarcerated and the mother has a case pending. The parents are a danger to the children. CPS released the children into the Petitioner's care.  <b>Court Investigator Charlotte Bien filed a report on 9-21-12.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Minute Order 8-30-12:</u> The Petitioner advises the Court that Fernando Casas has signed a consent form. The Petitioner is directed to file the consent with the Clerk's Office forthwith. The Court grants the petition. The temporary expires on 10/17/12. The General Hearing remains set for 10/17/12. At the request of the Petitioner, the Court reconsiders the fee waiver and grants it. Petition is granted before Court Trial. Order signed.  <u>As of 10-12-12, nothing further has been filed.</u>  1. <b>Need Notice of Hearing.</b>  2. <b>Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice on:</b> - Fernando Casas (father of Cynthia) - Manuel Nava (father of Manuel)  3. <b>Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</b> - Circiaco Casas (paternal grandfather of Cynthia) - Nancy Casas (paternal grandmother of Cynthia) - Michael Raley (maternal grandfather) - Paternal grandfather and grandmother of Manuel	
Manuel, age 1				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: skc
Reviewed on: 10-12-12
Updates:
Recommendation:
File 12 – Casas & Nava

## Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

<b>Age: 2</b>		<b>GENERAL HEARING 11-6-12</b>  <b>CRUZ U. HERNANDEZ</b> , Maternal Great-Grandmother, is Petitioner.  Father: <b>JAIME VASQUEZ</b> - Consents and waives notice Mother: <b>KAYLA HERNANDEZ</b> - Consents and waives notice  Paternal Grandfather: Pablo Vasquez Paternal Grandmother: Brigida Mendoza  Maternal Grandfather: Richard Hernandez Maternal Grandmother: Hiedi Fees  <b>Petitioner states</b> the child is currently in foster care. Petitioner does not feel this is suitable. Both parents have agreed to guardianship until they are able to provide for their daughter.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> This child is a ward of the Juvenile Dependency Court.  1. There is an existing Juvenile Dependency case. Therefore, Probate Guardianship is not appropriate. Petitioner may wish to join and seek guardianship in the existing Juvenile Dependency case.	
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
	<b>Notice of Hrg</b>			X
	<b>Aff.Mail</b>			X
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
N/A	<b>Pers.Serv.</b>			
✓	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
✓	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 10-12-12 <b>Updates:</b> <b>Recommendation:</b> <b>File 13 - Vasquez</b>		

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

<b>Marcus age: 8 yrs</b>		<p align="center"><b><u>GENERAL HEARING 12/11/12</u></b></p> <p><b>SHARON RUSSELL</b>, maternal grandmother, is petitioner.</p> <p>Father: <b>UNKNOWN</b></p> <p>Mother: <b>MISTY SUE RUSSELL</b> – consents and waives notice.</p> <p>Paternal grandparents: Unknown</p> <p>Maternal grandfather: Gerald Russell</p> <p><b>Petitioner alleges:</b> The children have resided primarily with the maternal grandparents. They have provided a safe, loving home environment. CPS has encouraged relatives to seek an immediate guardianship as the parents are unable to care for the children at this time. Father is incarcerated and mother has consented.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Petition indicates the father of both of the minors is unknown. However #3 of the petition indicates the father is incarcerated. Petition must include the name and address of the father.</li> <li>Need Notice of Hearing.</li> <li>Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on:               <ol style="list-style-type: none"> <li>Father (listed as unknown)</li> </ol> </li> </ol>	
<b>Matthew age: 6 yrs</b>				
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
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<input type="checkbox"/>	<b>Inventory</b>			
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<input type="checkbox"/>	<b>Pers.Serv.</b>			<input checked="" type="checkbox"/>
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<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input checked="" type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<b>Reviewed by: KT</b>		
		<b>Reviewed on: 10/15/12</b>		
		<b>Updates:</b>		
		<b>Recommendation:</b>		
		<b>File 14 – Flores &amp; Garcia</b>		